



1645  
Atty. Dkt. No. 073406-0701

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PELLETIER et al.

Title: COMPOSITIONS AND METHODS  
INVOLVING AN ESSENTIAL  
STAPHYLOCOCCUS AUREUS  
GENE AND ITS ENCODED  
PROTEIN STAAU\_R9

Appl. No.: 10/025,222

Filing Date: 12/19/2001

Examiner: Unassigned

Art Unit: 1645

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INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56

Commissioner for Patents  
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Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 9 December 2002

By Wesley B. Ames

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1 of 8

**Complete if Known**

Application Number 10/025,222  
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 First Named Inventor Pelletier et al.  
 Group Art Unit 1645  
 Examiner Name Unassigned  
 Attorney Docket Number 073406-0701

**RECEIVED****DEC 26 2002****TECH CENTER 1600/2900****U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	4,946,968		Krimmer et al.	Aug. 7, 1990	
	A2	60/110,992		U.S. Provisional Patent App.	Dec. 3, 1998	
	A3	09/675,519		U.S. CIP Patent App.	Sep. 28, 2000	

**FOREIGN PATENT DOCUMENTS**

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A4		WO 00/32825		Phagotech, Inc.	June 8, 2000		

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	A5	ALONSO et al., "Functional analysis of the <i>dna</i> (ts) mutants of <i>Bacillus Subtilis</i> : Plasmid pUB110 replication as a model system," Mol. Gen. Genet, 214:482-489, 1988.	
	A6	BENKOVIC et al., "Replisome-Mediated DNA Replication," Ann. Rev. Biochem., 70:181-208, 2001.	
	A7	BENVENISTY et al., "Direct introduction of genes into rats and expression of the genes," Proc. Natl. Acad. Sci. USA, 83:9551-9555, 1986.	
	A8	BIRD et al., "Mapping Protein-Protein Interactions within a Stable Complex of DNA Primase and DnaB Helicase from <i>Bacillus stearothermophilus</i> ," Biochemistry, 39:171-182, 2000.	
	A9	CHEE et al., "Assessing Genetic Information with High-Density DNA Arrays," Science, 274:610-614, 1996.	

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	A10	CLACKSON et al., "Making antibody fragments using phage display libraries," Nature, 352:624-628, 1991.	
	A11	COLE et al., "The EBV-Hybridoma Technique and Its Application to Human Lung Cancer," <u>Monoclonal Antibodies and Cancer Therapy</u> , Proceedings of the Roche-UCLA Symposium held in Park City, Utah, 77-96, 1085.	
	A12	COTTON et al., "Reactivity of cytosine and thymine in single-base-pair mismatches with hydroxylamine and osmium tetroxide and its application to the study of mutations," Proc. Nat. Acad. Sci. USA, 85:4397-4401, 1955.	
	A13	CREIGHTON, <u>Proteins: Structures and Molecular Properties</u> , New York: Freeman and Company, 1993, p. 78-99.	
	A14	<u>Current Protocols in Immunology</u> , edited by John Coligan, Vol. 1, Chapter 5, New York: John Wiley & Sone, 1991	
	A15	DREWS et al., "Drug Discovery: A Historical Perspective," Science, 287:1960-1964, 2000.	
	A16	EISENBRAUN et al., "Examination of Parameter: Affecting the Elicitation of Humoral Immune Responses by Particle Bombardment-Mediated Genetic Immunization," DNA and Cell Biology, 12:791-797, 1993.	
	A17	FROHMAN et al., "Rapid production of full-length cDNAs from rare transcripts: Amplification using a single gene-specific oligonucleotide primer," Proc. Nat. Acad. Sci. USA, 85:8998-9002, 1988.	
	A18	GENTZ et al., "Bioassay for trans-activation using purified human immunodeficiency virus <i>tat</i> -encoded protein: Trans-activation requires mRNA synthesis," Proc. Nat. Acad. Sci. USA, 86:821-824, 1989.	
	A19	HAARD et al., "A Large Non-immunized human fab fragment phage library that permits rapid isolation and kinetic analysis of high affinity antibodies," Journal Biological Chemistry, 274: 18218-18230, 1999.	

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	A20	HARBARTH et al., "Impact of Methicillin Resistance on the Outcome of Patients with Bacteremia Caused by <i>Staphylococcus aureus</i> ," Arch. Intern. Med., 158:182-189, 1998.	
	A21	HENIKOFF et al., "Amino acid substitution matrices from protein blocks," Proc. Nat. Acad. Sci. USA, 89: 10915-10919, 1992.	
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	A23	JONES et al., "Replacing the complementarity-determining regions in a human antibody with those from a mouse," Nature, 321: 522-525, 1986.	
	A24	KAELIN et al., "Expression Cloning of a cDNA Encoding A Retinoblastoma-Binding Protein with E2F-like Properties," Cell, 70:351-364, 1992.	
	A25	KANEDA et al., "Increased expression of DNA cointroduced with nuclear protein in adult rat liver," Science, 243:375-378, 1989.	
	A26	KOHLER et al., "Continuous cultures of fused cells secreting antibody of predefined specificity," Nature, 256: 495-497, 1975.	
	A27	KORNBERG et al., "Prokaryotic DNA Polymerases Other Than E.coli Pol 1, Chapter 5, <u>DNA Replication</u> , 2 <sup>nd</sup> edition, New York: Freeman and Company, 1992.	

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Attorney Docket Number	073406-0701

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	A28	KOZBOR et al., "The production of monoclonal antibodies from human lymphocytes," Immunology Today, Vol. 4, No. 3, 72-79, 1983.	
	A29	KREISWIRTH et al., "The toxic shock syndrome exotoxin structural gene is not detectably transmitted by a prophage," Nature, 305: 709-712, 1983.	
	A30	LADNER, "Display and Selection of Proteins on Genetic Packages," Chapter 10, <u>Phage Display of Peptides and Proteins</u> , 151-193, 1996.	
	A31	LAEMMLI, "Cleavage of Structural Proteins during the assembly of the head of bacteriophage T4," Nature, 227: 680-685, 1970.	
	A32	LU et al., "Direct physical interaction between DnaG primase and DnaB helicase of <i>Escherichia coli</i> is necessary for optimal synthesis of primer RNA," Proc. Nat. Acad. Sci. USA, 93:12902-12907, 1996.	
	A33	MAEJI et al., "Systematic screening for bioactive peptides," Peptide Research, Vol. 4, No. 3, 142-146, 1991.	
	A34	MANTHORPE et al., "Gene therapy by intramuscular injection of plasmid DNA: Studies on firefly luciferase gene expression in mice," Human Gene Therapy, Vol. 4, 419-431, 1993.	
	A35	MARKS et al., "By-passing immunization: Building high affinity human antibodies by chain shuffling," Bio technology, 10:777-783, 1992.	

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	A36	McCAFFERTY et al., "Phage antibodies: filamentous phage displaying antibody variable domains,"	
	A37	MYERS et al., "Detection of single base substitutions by Ribonuclease cleavage at mismatches in RNA:DNA duplexes, Science, 230:1242-1246, 1985.	
	A38	NEEDLEMAN et al., "A General method applicable to the search for similarities in the amino acid sequence of two proteins," J. Mol. Biol., 48:433-453, 1970.	
	A39	OKANO et al., "Myelin base protein gene and the function of antisense RNA in its repression in myelin-deficient mutant mouse," Journal of Neurochemistry, 56: 560-567, 1991.	
	A40	OSKOUIAN et al., "Repression and catabolite repression of the lactose operon of <i>Staphylococcus aureus</i> ," Journal of Bacteriology, 172: 3804-3812, 1990.	
	A41	QIN et al., "A Strategy for rapid, high-confidence protein identification," Annal. Chem., 69:3995-4001, 1997.	
	A42	RATTAN et al., "Protein synthesis, posttranslational modifications, and aging," An. N.Y. Acad. Of Sci., 663: 48-62, 1992.	
	A43	RODER et al., "Clinical features of <i>Staphylococcus aureus</i> endocarditis," Arch. Int. Med., 159:462-469, 1999.	

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	A44	ROWEN et al., "Primase, the <i>dnaG</i> Protein of <i>Escherichia coli</i> ," Journal of Biological Chemistry, 253: 758-64, 1978.	
	A45	SEEGER et al., "The cloned genome of ground squirrel hepatitis virus is infectious in the animal," Proc. Natl. Acad. Sci. USA, 81: 5849-5852, 1984.	
	A46	SEIFTER et al., "Analysis for protein modifications and nonprotein cofactors," Meth. Enzymol., 182: 626-646, 1990.	
	A47	SITTAMPALAM et al., "high-throughput screening: advances in assay technologies," Current Opin. Chem. Biol., 3:384-391, 1997.	
	A48	SMITH et al., "Identification of common molecular subsequences," J. Mol. Biol., 147: 195-197, 1981.	
	A49	SWANSTROM et al., "Agar layer method for production of high titer phage stocks," Proc. Soc. Expt. Biol. Med., 372-375, 1951.	
	A50	TANG et al., "Genetic immunization in a simple method for eliciting an immune response," Nature, 356: 152-154, 1992.	
	A51	TAURIAINEN et al., "Recombinant luminescent bacteria for measuring bioavailable arsenite and antimonite," Appl. Environ. Microbiol., 63: 4456-4461, 1997.	

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	A52	TEMPEST et al., "Reshaping a human monoclonal antibody to inhibit human respiratory syncytial virus infection in vivo," Biotechnology, 9: 266-273, 1991.	
	A53	TOUGU et al., "Identification of a domain of Escherichia coli primase required for functional interaction with the DnaB helicase at the replication fork," J. Biol. Chem., 269:4675-4682, 1994.	
	A54	TONGU et al., "The Interaction between Helicase and Primase sets the replication fork clock," J. Biol. Chem., 271: 21398-21405, 1996.	
	A55	WILSON et al., "The structure of an antigenic determinant in a protein," Cell, 37:767-778, 1984.	
	A56	WOLD, "Posttranslational protein modifications: perspectives and prospectives," <u>Posttranslational Covalent Modification of Proteins</u> , New York: Academic Press, 1983.	
	A57	WOLFF et al., "Long-term persistence of plasmid DNA and foreign gene expression in mouse muscle," Human Mol. Genet., 1:363-369, 1992.	
	A58	WU et al., "Coordinated leading- and lagging-strand synthesis at the Escherichia coli DNA replication fork," J. Biol. Chem., 267: 4074-4083, 1992.	
	A59	WU et al., "Targeting genes: Delivery and persistent expression of a foreign gene driven by mammalian regulatory elements <i>in Vivo</i> ," J. Biol. Chem., 264: 16985-16987, 1989.	

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		Application Number	10/025,222
		Filing Date	12/19/2001
		First Named Inventor	Pelletier et al.
		Group Art Unit	1645
		Examiner Name	Unassigned
		Attorney Docket Number	073406-0701

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A60	YUZHAKOV et al., "Trading Places on DNA -- A Three-Point Switch Underlies Primer Handoff from Primase to the Replicative DNA Polymerase," Cell, 96: 153-163, 1999.	

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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